

**Minutes, Paw Paw Village Council
Regular Meeting, March 10, 2008**

1. The regular Village Council meeting of Monday, March 10, 2008, convened at 7:30 p.m. at 114 S. Gremps, Paw Paw, Michigan. President Pro-Tem Basinger presiding. **Meeting Convened**
2. Present: Basinger, Larcinese, Rohr, McIntosh, and Wilhelmi. Excused Richardson and Plaszczak. Also present: Department of Public Services Director John Small and Village Manager Larry Nielsen. **Members Present**
3. Motion by Rohr, supported by McIntosh, to approve the corrected February 25, 2008 minutes of the regular meeting. All members present voting yes, motion carried. **Approved Minutes**
4. Motion by Rohr, supported by Wilhelmi, to approve the corrected Special Session Workshop on February 26, 2008. All members present voting yes, Wilhelmi abstaining, motion carried.
5. Motion by Wilhelmi, supported by Larcinese, to approve the corrected Special Session on February 20, 2008. All members present voting yes, motion carried.
6. Motion by Wilhelmi, supported by McIntosh, to approve accounts payable for \$506,578.23 as presented. All members present voting yes, motion carried. **Accounts Payable**
7. Motion by Larcinese, supported by McIntosh to recess the regular meeting and reconvene the Public Hearing for the adoption of the Village of Paw Paw Ordinances for codification. All members present voting yes, motion carried. **Public Hearing Adopting Ordinance and Amendments to the Village Code of Ordinances**
8. Basinger opened the Public Hearing at 7:47. Let the record show there was no public comment, only media in attendance.
9. Regarding the changes to Chapter 2, Article III Officers and Employees, Division 1 Generally, Section 2-61 Compensation of Officers subsection (a) and (b) the Council discussed wording the changes as proposed so that **after corrections 3/24/08** beginning March 1, 2009 the pay of the President and Trustees would be increased 2% annually. **Changes as requested By Wilhelmi**
10. Regarding the changes to Chapter 12 Environment, Article IV titled Residential, Commercial and Industrial Blight the Council discussed wording the following changes:
11. Renumber current Section 12-62 to become 12-81 under Article IV, adding the following subsections to Prohibited acts:
12. Subsection (7) to read “Placing of brush out to the street for pick up more

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than 48 hours prior to the scheduled time for pick up. This includes placing brush out after pick up has already been made. Brush must be removed within 72 hours of receiving notice.”

13. Subsection (8) to read: “Bulk and other large trash items (furniture, bedding, flooring, appliances, etc.) shall not be left at the street for pick up more than five (5) days. Upon receiving notice, the items must be removed within 72 hours.”
14. Subsection (9) to read: “On any property within the Village of Paw Paw, the storage of non-motorized items in a structure such as a carport whose function is to house a motorized vehicle item such as a car, lawn mower or boat, is prohibited. Prohibited items would include but not necessarily be limited to household items, appliances, toys, trash containers and building materials, scrap items, etc. Fully enclosed garages, attached or detached, and fully enclosed shed are excluded and may be used for such storage.
15. Regarding changes to Chapter 28 Solid Waste, Article II, Waste Reduction and Waste Haulers Regulations, Section 28-35 Hauler Regulation, Contents subsection (d) Registration Fees the Council discussed changes as follows:
 16. Amending subsection (d) to read: “A registration fee (\$50 beginning April 1, 2008) shall be paid at the time an applicant submits a registration application and thereafter annually (April 1st) each year or portion of year the hauler conducts business within the Village limits. The registration fee, as are other Village fees are subject to change by Council resolution as the Village Council may determine appropriate and necessary from time to time. The Village Treasurer/Finance Administrator shall take appropriate actions to assure collection of the annual fees.”
 17. Regarding changes to Chapter 28 Solid Waste, Article II, Waste Reduction and Waste Haulers Regulations, Section 28-36 General requirements the Council discussed changes as follows:
 18. Adding subsection (d) Limits on Hours and Days of Service to read: “Waste haulers shall limit their collection of residential solid waste, garbage, refuse, yard trimmings and recyclable materials between the hours of 7:00 a.m. and 8:00 p.m. on Tuesdays or Wednesdays subject to a holiday in which case one alternate day may be substituted for the holiday date.”
 19. Other changes had been discussed at previous meetings and were left as having been presented.
20. Motion by McIntosh, supported by Rohr to close the Public Hearing at 9:00 p.m. All members present voting yes, motion carried.

**Closed Public
Hearing**

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21. Small discussed the sanitary sewer force main break and the Village's response. The break was noted on Wednesday morning and fixed by Thursday early afternoon. The old line appears to have suffered a puncture near the former hydra-stop placed in the line almost two years ago. The cause and the amount of flow lost are still being determined. The 1970 era old line is subject to stones and heaving because it was not set with sand and stone around the line.
22. Small continued **corrections 3/24/08 by stating** the Village selected to set it in the dirt and clay that existed along the line. Future breaks are impossible to predict. The best long term solution would be to place a new line from the lift station to the treatment lagoons, including a by-pass system that would allow flow to be diverted from the new main to the old main. This would create duplicity eliminating environmental threats and the need to 'truck' waste from the lift station to the treatment plant when breaks occur. The expense **corrections 3/24/08 maybe** limiting pursuit of this idea especially given the declining reserves in the wastewater fund.
23. Nielsen commended Small and departmental staff for their response noting it appeared the response was a great team effort.
24. Small also reported on the recent **corrections 3/24/08** annual evaluation **corrections 3/24/08** completed by the Department of Environmental Quality Kalamazoo District Office on the Village's water system noting areas for praise and areas in which the Village is still making progress.
25. Motion by McIntosh, supported by Rohr to allow Village Attorney to review changes discussed at tonight's public hearing and re-advertise the changes for the amendments to the Village of Paw Paws Code of Ordinances. The next Public Hearing would be schedule for April 14, 2008. All members present voting yes, motion carried.
26. McIntosh reported the Department of Public Service met before the Council meeting, Larcinese filling in for Richardson. The committee discussed water and wastewater matters.
27. Nielsen reported Area Parks & Recreation Board met and discussed the Ride for Kids event, the Little League program is gearing up for their season start, and that the fence matter is slowly working its way to resolution.
28. Nielsen reported the Downtown Development Authority met February 18, 2008. The Authority discussed changes at the Carnegie Center, **corrections 3/24/08** sound systems quotes and the Chamber and the DDA are planning an open house.
29. Larcinese reported the Fire Board met March 4, 2008. Larcinese reported the Fire Department is looking at a new tanker that is shorter but wider,

**New Business
Press Release Update**

**Ongoing Business
Adopting Ordinance
and Amendments to
the Village Code of
Ordinances.**

**Committee Reports
Department of Public
Services**

Parks & Recreations

DDA

Fire Broad

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which may eliminate the need for a building addition.

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| 30. No report | Historical Committee |
| 31. Rohr reported the next Housing Commission will be meeting soon. | Housing Board |
| 32. Larcinese already reporting. | |
| 33. McIntosh reported the Revolving Loan Board met February 20, 2008. McIntosh reported the Board met to review current status of loans, met the new member, Christina Meiner, and is planning a meeting with area lending officials to discuss Village incentives that may be of interest to their commercial and industrial clients. | RLF |
| 34. Nielsen reported the Wine and Harvest Festival Committee met March 5, 2008. Board has chosen Marilyn Clear as their next director. | W & H Festival |
| 35. Basinger noted that a new business opened downtown called 'Fashion Forward' and that he and his wife were among their first customers. | Council Comments
Basinger |
| 36. McIntosh asked about the site plans for the Walgreen's and Chicken Coop which were presented to the Planning Commission. Nielsen explained the plans were incomplete and the developers will have a special meeting on Friday at 5:00 p.m. to receive the updated plans and allow the Commission to review them. | McIntosh |
| 37. Nielsen continued, if the developers meet requirements, a recommendation to the Council may be forth coming. Nielsen explained there is no requirements in the Village Zoning Ordinance that requires the site plan to be separated at time and that such will require the Village to separately file and record actions for posterity on each. Corrections 3/24/08 Nielsen explained the Village Zoning Ordinance requires site plans to be filed separately. Additionally, the Village Zoning Ordinance does require a prior review of the plans by staff or consultant before they go to the Planning Commission. | Nielsen |
| 38. Nielsen explained a builder or developer may present plans and ask the Planning Commission to rule on matters of interpretation. This was done in the case of the Walgreen's and Chicken Coop site plan. Thus, the need for the special meeting, paid for by the developer. | |
| 39. Nielsen noted the planned meeting with Aetna insurance representatives and employees had been canceled due to illness of the Aetna representative. Another will be scheduled. | Village Manager |
| 40. Motion by Wilhelmi, supported by Larcinese, to adjourn the meeting. All members present voting yes, motion carried. Meeting adjourned at 9:26 | Adjournment |

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p.m.

Respectfully submitted:

Village President Pro Tem,
Dean Basinger

Village Manager,
Larry Nielsen